

HOUSE BILL 1411

By Fritts

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to parental consent.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by adding the following as a new section:

If a parent's or legal guardian's consent is required pursuant to this title for the parent's or legal guardian's student to receive or participate in instruction, an activity, an evaluation, an assessment, a survey, or an analysis offered by the student's LEA, then the LEA must obtain written consent from the student's parent or legal guardian authorizing the student to receive or participate in the specific instruction, activity, evaluation, assessment, survey, or analysis.

SECTION 2. Tennessee Code Annotated, Section 49-2-211, is amended by deleting subsection (b) and substituting:

(b) The policy must:

(1) Allow a parent or legal guardian access to review all surveys, analyses, or evaluations, prior to being administered to the parent's or legal guardian's student; and

(2) Require the LEA to obtain a student's parent's or legal guardian's written consent before the student participates in a survey, analysis, or evaluation. A student's parent or legal guardian may withdraw the parent's or legal guardian's consent at any time before the student participates in the survey, analysis, or evaluation.

SECTION 3. Tennessee Code Annotated, Section 49-6-1305(b), is amended by deleting the subsection and substituting:

(b) Before an LEA provides instruction in family life to a student, the LEA must receive written consent of the student's parent or legal guardian. A student's parent or legal guardian may consent to the student only receiving a certain portion of the family life instruction. A student whose parent or legal guardian did not consent to the student receiving family life instruction, or who only consented to the student receiving a portion of the family life instruction, is excused from family life instruction or from that portion of the family life instruction and shall not be penalized for grading purposes.

SECTION 4. Tennessee Code Annotated, Section 49-1-1002, is amended by deleting subdivision (b)(2) and substituting:

(2) An LEA must obtain:

(A) Written consent from a student's parent or legal guardian in order for the student to receive any health services provided through the LEA's coordinated school health program; and

(B) The consent before the student receives such services; and

SECTION 5. Tennessee Code Annotated, Section 49-6-1031(b), is amended by deleting the subsection and substituting:

(b) A school shall not permit a student to become a member or participate in an activity of a club or organization unless the student's parent or legal guardian provides consent to the student's membership or participation in the activity of the club or organization in writing that is signed and dated.

SECTION 6. This act takes effect July 1, 2023, the public welfare requiring it.